



Order Filed on June 25, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1 DENISE CARLON, ESQUIRE KML LAW GROUP, P.C. Sentry Office Plz 216 Haddon Ave. Suite 406 Westmont, NJ 08018 (215)627-1322 dcarlton@kmlawgroup.com Attorneys for GMAT Legal title Trust 2013- 1, U.S. Bank National Association, as Legal Title Trustee
In Re: Kimberley A. Giovanni, Debtor.

Case No.: 18-16711 KCF
Adv. No.:
Hearing Date: 6/13/18 @10:00 a.m.

Judge: Kathryn C. Ferguson

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED

DATED: June 25, 2018



Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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Debtor: Kimberley A. Giovanni

Case No.: 18-16711 KCF

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, GMAT Legal title Trust 2013-1, U.S. Bank National Association, as Legal Title Trustee, holder of a mortgage on real property located at 187 Walnut Creek Lane, Toms River, NJ, 08753, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Daniel E. Straffi, Esquire, attorney for Debtor, Kimberley A. Giovanni, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtor shall obtain a loan modification by July 19, 2018, or as extended by an order extending loss mitigation or a modified plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor shall make post-petition payments directly to Secured Creditor outside of the plan in accordance with the terms of the Court's loss mitigation order; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if loss mitigation is unsuccessful, Debtor is responsible for the difference between the loss mitigation payment and the regular payment for the months this loan was in the loss mitigation program; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee shall make disbursements on Secured Creditor's proof of claim while Debtor is seeking a loan modification per the terms of Debtor's plan.

It is **FURTHER ORDERED, ADJUDGED and DECREED** that in the event loss mitigation negotiations are unsuccessful, Debtor shall modify the plan to surrender, cure and maintain, sell, refinance, or otherwise address Secured Creditor's claim; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its rights to pre- or post-petition arrears in the event loss mitigation is unsuccessful;

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Kimberley A. Giovanni
Debtor

Case No. 18-16711-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jun 26, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 28, 2018.

db Kimberley A. Giovanni, 187 Walnut Creek Ln, Toms River, NJ 08753-2566

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 28, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 26, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Daniel E. Straffi on behalf of Debtor Kimberley A. Giovanni bktrustee@straffilaw.com,
G25938@notify.cincompass.com/familyclient@straffilaw.com/bktrustee@straffilaw.com
Denise E. Carlon on behalf of Creditor GMAT Legal title Trust 2013-1,U.S.Bank National
Association, as Legal Title Trustee dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Kevin Gordon McDonald on behalf of Creditor GMAT Legal title Trust 2013-1,U.S.Bank National
Association, as Legal Title Trustee kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5